

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2021

H

1

HOUSE BILL 210

Short Title: Restrict Cash Bail for Certain Misdemeanors. (Public)

Sponsors: Representatives Morey, A. Jones, Autry, and Harrison (Primary Sponsors).
For a complete list of sponsors, refer to the North Carolina General Assembly web site.

Referred to: Rules, Calendar, and Operations of the House

March 4, 2021

A BILL TO BE ENTITLED

AN ACT TO RESTRICT THE IMPOSITION OF CASH BAIL AS A CONDITION OF
PRETRIAL RELEASE WHEN A DEFENDANT IS CHARGED WITH ONLY
MISDEMEANOR CHARGES.

The General Assembly of North Carolina enacts:

SECTION 1. G.S. 15A-534 is amended by adding two new subsections to read:

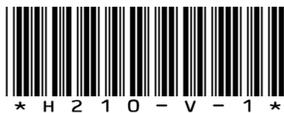
"(b1) Notwithstanding subsection (b) of this section, a judicial official must not impose condition (4) of subsection (a) of this section as a condition of pretrial release if no charge against the defendant is more severe than a Class 2 misdemeanor, unless the judicial official makes a written finding that the defendant will pose a danger to any person, will likely destroy evidence, or will likely fail to appear in court as required.

(b2) Notwithstanding subsection (b) of this section, a judicial official must not impose condition (4) of subsection (a) of this section as a condition of pretrial release if a defendant is charged with only misdemeanor charges, including a Class 1 or A1 misdemeanor charge, unless the judicial official:

(1) Has first considered whether condition (2) of subsection (a) of this section would be an appropriate condition of pretrial release.

(2) Upon a finding that condition (2) of subsection (a) of this section would not be an appropriate condition of pretrial release, has recorded the reasons for that finding in writing."

SECTION 2. This act becomes effective December 1, 2021, and applies to conditions of pretrial release imposed on or after that date.



* H 2 1 0 - V - 1 *